

REMARKS/ARGUMENTS

The Examiner rejected claims 1-30 as being obvious over Wistendahl, U.S. Patent Number 5,708,845, in view of Yamaguchi, U.S. Patent No. 6,724,921.

Wistendahl disclose a system that includes a video stream and a separate descriptive stream related to the video. The viewer is provided the additional information upon selecting a 'hot spot'. In all cases, the additional information provided by Wistendahl is informative information. At most, Wistendahl discloses instructional information in the form of IDM program data, which is similarly merely a data file for the IDM program. Accordingly, in this case the system would require a specialized program additional program, namely IDM, in order for this data to be useful, which tends to be expensive. The applicant would note that Wistendahl fails to suggest that the additional information includes executable program code, nor suggests that the additional information is more than merely passive in nature.

Claims 1 and 21 patentably distinguish over Wistendahl by claiming that the additional information includes copyright executable program code.

Claims 2-8, 10-20, 22-30 depend from claims 1 and 21, and are patentable for the same reasons asserted for the respective independent claim.

The applicant would respectfully note that the failure to address Official Notice with respect to dependent claims is not to be considered an admission of the facts noticed. Accordingly, the applicant respectfully does not agree with the Official Notice in the Office Actions unless specifically discussed.

The Examiner rejected claims 31-117 under 35 U.S.C. Section 103(a) as being unpatentable over Hoddie, U.S. Patent No. 5,727,141, in view of Malcolm, U.S. Patent No. 6,715,037.

The Examiner suggests that Hoddie disclose a movie file shown in FIG. 2, which includes a video track 205, an audio track 210, and a container track 215. See column 6, lines 59-67. The Examiner further suggests that Hoddie permits the selection of objects in the image in order to retrieve additional information and a presentation mechanism. See column 1, lines 41-64; column 2, lines 22-42, and column 17, lines 29-31. The applicant would note that the track is for a video. In all cases, the frames of the video are associated with the video.

Claims 31, 59, and 87 patentably distinguishes over Hoddie by claiming that only a single image is stored along with the additional information in a single unitary file stored on a recordable media, where the image is stored in a first part of the file and the additional information is stored in a second part of the file. The claims further claim that single unitary file does not contain any other images than said single image and wherein the single unity file is not part of a video sequence.

Hoddie does not describe a mechanism suitable for use with image files, such as a JFIF file. Moreover, Hoddie only describes mechanisms for use with video sequences.

Claims 32-58 depend from claim 31, either directly or indirectly, and are patentable for the same reasons asserted for claim 31.

Claims 60-86 depend from claim 59, either directly or indirectly, and are patentable for the same reasons asserted for claim 59.

Claims 88-117 depend from claim 87, either directly or indirectly, and are patentable for the same reasons asserted for claim 87.

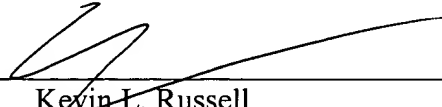
This Amendment is being submitted with Petition for Extension of Time, together with the requisite fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 03-1550.

Respectfully submitted,

CHERNOFF, VILHAUER, McCLUNG & STENZEL

Dated: April 24, 2006

By


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 24, 2006.

Dated: April 24, 2006


Kevin L. Russell